

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UMBERTO NESPOLO LO,

Plaintiff,

v.

JAIME KLUIG,

Defendant.

ORDER

Case No. 23-cv-865-jdp

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UMBERTO NESPOLO LO,

Plaintiff,

v.

RON JOHNSON,

Defendant.

ORDER

Case No. 23-cv-887-jdp

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On December 19, 2023, I ordered plaintiff to submit a certified copy of an inmate trust fund account statement (or institutional equivalent) in Case No. 23-cv-865-jdp. The deadline was January 10, 2024. Plaintiff failed to do so, and the case was closed on January 18, 2024.

On December 26, 2023, I ordered plaintiff to pay the \$405<sup>1</sup> filing fee or file a properly supported motion to proceed *in forma pauperis* in Case No. 23-cv-887-jdp. Again, plaintiff failed to comply. However, on January 22, 2024, plaintiff submitted a “Marathon County Accounts Receivable Payment History” in both cases, along with letters asking to reopen both cases.

The “Accounts Receivable Payment History” that plaintiff submitted is not sufficient. I still cannot determine if plaintiff qualifies for indigent status. To reopen case number -865, and to proceed in case number -887, plaintiff must submit a certified inmate account statement

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<sup>1</sup> Includes a \$55 administrative fee that does not apply to persons granted indigent status under the federal *in forma pauperis* statute, 28 U.S.C. § 1915.

from Marathon County that shows balances and deposits into the account, not just payments from the account, for the six-month period beginning approximately June 26, 2023, and ending approximately December 26, 2023. If I find that plaintiff is indigent, then I will calculate an initial partial payment of the filing fee for each case. Plaintiff must make these payments before the court can screen his complaints under 28 U.S.C. § 1915(e)(2). After screening, plaintiff will be required to pay the balance of the filing fees in installments.

#### ORDER

IT IS ORDERED that plaintiff Umberto Nespolo Lo may have an enlargement of time, until February 13, 2024, to submit an account statement from Marathon County that shows balances and deposits into his account for the period beginning approximately June 26, 2023, and ending approximately December 26, 2023. Case number 23-cv-865-jdp will remain closed, and case number 23-cv-887-jdp may be closed, if plaintiff fails to submit an account statement by the deadline.

Entered this 25<sup>th</sup> day of January, 2024.

BY THE COURT:

/s/

ANDREW R. WISEMAN  
United States Magistrate Judge